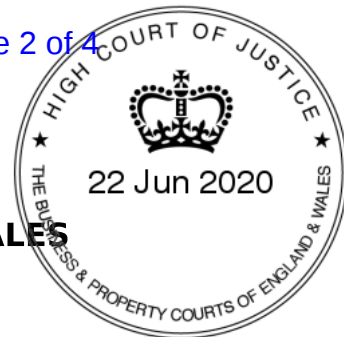


# **Exhibit 35**



**IN THE HIGH COURT OF JUSTICE  
BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES  
COMMERCIAL COURT  
QUEEN'S BENCH DIVISION**

**BEFORE: MRS JUSTICE MOULDER**

CL-2019-000723

**BETWEEN:**

(1) **VALE S.A.**  
(2) **VALE HOLDINGS B.V.**  
(3) **VALE INTERNATIONAL S.A.**

**Claimants**

**-and-**

(1) **BENJAMIN STEINMETZ**  
(2) **DAG LARS CRAMER**  
(3) **MARCUS STRUIK**  
(4) **ASHER AVIDAN**  
(5) **JOSEPH TCHELET**  
(6) **DAVID CLARK**  
(7) **BALDA FOUNDATION**  
(8) **NYSCO MANAGEMENT CORPORATION**

**Defendants**

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**CONSENT ORDER**

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**UPON** the Worldwide Freezing Order made by Sir Michael Burton GBE (sitting as a Judge of the High Court) dated 3 December 2019 and subsequently continued by Mr Justice Andrew Baker by Order dated 16 December 2019 (the "**WFO**")

**AND UPON** the First Defendant having filed proceedings on 21 May 2020 in the United States District Court for the Southern District of New York captioned *In Re Application of Benjamin Steinmetz for an Order to Take Discovery from Vale S.A., Vale Americas Inc., Rio Tinto PLC, and Rio Tinto Limited Pursuant to 28 U.S.C. § 1782* (the "**Steinmetz 1782 Proceedings**")

**AND UPON** Schedule B(9) of the WFO providing that the Claimants undertake not to use without the permission of the Court any information obtained as a result of the WFO for the purpose of any civil or criminal proceedings, either in England and Wales or in any other jurisdiction other than this claim

**AND UPON** the Claimants wishing to use certain information and documents as set out in this Order in the Steinmetz 1782 Proceedings and having agreed to file such documents under seal in the Steinmetz 1782 Proceedings

**AND UPON** the application of the Claimants by notice dated 12 June 2020 (the “**Application**”)

**AND UPON** the Claimants and the First Defendant having agreed to the terms of this Order

**BY CONSENT** it is ordered that:

1. The Claimants have permission pursuant to CPR 31.22(1)(b) and Schedule B(9) of the WFO to use the following information and documents for the purpose of the Steinmetz 1782 Proceedings:
  - 1.1. the First Defendant’s statement of assets dated 30 December 2019,
  - 1.2. the First Defendant’s Affirmation dated 13 January 2020 (and in respect of which, to the extent necessary, the Claimants also have permission pursuant to CPR 32.12(2)(b)), and
  - 1.3. the Fifth Witness Statement of James Brady dated 29 May 2020 together with the documents exhibited thereto (to the extent that permission is required because they contain information obtained as a result of the WFO).

2. The hearing of the Application listed for 24 June 2020 be vacated.
3. Costs of the Application to be determined on paper, following submissions from the parties as follows:
  - 3.1. Parties to exchange submissions on the costs of the Application by 4pm on 23 June 2020
  - 3.2. Parties to exchange any submissions in reply by 4pm on 24 June 2020
  - 3.3. Issues of costs to be referred to a Judge for determination thereafter

**Dated 22<sup>nd</sup> June 2020**